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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,309	04/16/2004	Richard S. Kusleika	12013/48803

23838  
 KENYON & KENYON  
 1500 K STREET, N.W., SUITE 700  
 WASHINGTON, DC 20005



CONFIRMATION NO. 7747

## FORMALITIES LETTER



\*OC000000013070887\*

Date Mailed: 06/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

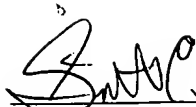
Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

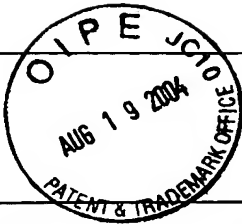
08/23/2004 148DELR1 00000007 110600 10825309  
 01 FC:1051 130.00 DA



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



U.S. DEPARTMENT OF COMMERCE  
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**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION -- FILING DATE GRANTED**

Docket Number:  
12013/48803

Application Number  
10/825,309

Filing Date  
April 16, 2004

Examiner  
Unassigned

Art Unit  
3763

Invention Title  
CATHETER FOR TISSUE DILATION AND DRUG DELIVERY

Inventor(s)  
Richard S. Kusleika

Address to:  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

To complete the filing requirements for the above-referenced application under 37 C.F.R. § 1.51, enclosed please find a copy of a Declaration from a prior application (37 C.F.R.1.63 (d)). A copy of the Notice to File Missing Parts of Application mailed June 25, 2004 is enclosed.

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of **\$130.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600.
2. A duplicate of this sheet is enclosed.

Dated:

19 Aug. 2004

By:

Douglas E. Ringel (Reg. No. 34,416)

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